



**U.S. Department of Justice**

*United States Attorney  
Southern District of New York*

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*The Silvio J. Mollo Building  
One Saint Andrew's Plaza  
New York, New York 10007*

November 26, 2021

**BY ECF**

The Honorable Katherine Polk Failla  
United States District Judge  
Southern District of New York  
New York, New York 10007

**Re: *United States v. Dominick Lewis*, 20 Cr. 290 (KPF)**

Dear Judge Failla:

The Government writes in advance of the sentencing of defendant Dominick Lewis, which is currently scheduled for December 2, 2021, at 3:00 p.m. For the reasons that follow, the Government respectfully submits that a sentence within the applicable Guidelines range of 77 to 96 months' imprisonment is necessary in this case. It appears, however, from the defense sentencing memorandum that are several factual issues that the Court may need to resolve before proceeding to sentencing, as discussed further below.

**I. Background**

**A. The Offense Conduct**

On March 21, 2020, during the 7:00 a.m. hour, the defendant—a twice-convicted felon—punched a woman and her friend in the face, and then brandished a firearm fully loaded with 12 rounds of ammunition. *See* Final Presentence Investigation Report dated June 22, 2021 (“PSR”) ¶ 9.<sup>1</sup> To make matters worse, the defendant tried to hide the gun from police, resisted arrest, tried to kick out the rear passenger window of a police car, and even hurled bigoted and misogynistic insults at police officers. *Id.*

Four people called 911 that morning to ask for help and report the defendant. The first caller, in a call placed at approximately 7:21 a.m., said someone named “Dominick” had punched both her and her friend in the face and then pulled out a gun. *See* PSR ¶ 10(a); Compl. ¶ 3(a); Ex. 1 (audio of first 911 call); Ex. 1-T (transcript of first 911 call) at 3:17-18 (“[H]e punched me and

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<sup>1</sup> The Government notes that it timely provided the Probation Office with objections to the initial disclosure of the PSR, which Probation has addressed. *See* PSR at page 29. As reflected in the PSR, “Defense counsel has not communicated any comments/objections.” *Id.*

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my friend, like, beat us up and then he pulled out a gun.”); Ex. 1A (911 event chronology) at 2.<sup>2</sup> The caller pleaded with the operator: “I’m scared. Please, please, please, I have to hang up.... I don’t want him to see me on the phone. I’m scared.” *See* Ex. 1-T at 1:23-2:5. Then, a second caller described a man with a gun in his left hand wearing a “long sleeve blue shirt with orange writing that says ‘Love Moschino’ on it.” *See* PSR ¶ 10(b); Ex. 2 (audio of second 911 call); Ex. 2-T (transcript of second 911 call). The caller explained to the operator that she was hearing the person with the gun having what sounded like an argument. *Id.* Next, a third caller reported that a person wearing “a blue shirt with orange writing on the sleeves” had a gun in his hand and was “ranting and raving” on the corner. *See* PSR ¶ 10(c); Ex. 3 (audio of third 911 call); Ex. 3-T (transcript of third 911 call). Finally, a fourth caller stated that the police were talking to a man with tattoos on his neck wearing a blue long-sleeved shirt on 213th Street and Holland Avenue in the Bronx, that the caller was not sure if the police were going to search the man, but that the caller had seen the man with a gun in his hand earlier. *See* PSR ¶ 10(d); Ex. 4 (audio of fourth 911 call); Ex. 4-T (transcript of fourth 911 call).

Security camera video (with no audio) captures some of the events the 911 callers had narrated. *See* PSR ¶ 11. The video does not show the defendant’s assault of the first 911 caller. *Id.* It does, however, show the defendant, wearing a blue long-sleeved shirt, pacing around 213th Street and Holland Avenue with a gun in his hand for about nine minutes, from approximately 7:44 a.m. to approximately 7:53 a.m. *See* Ex. 5 (video from 213th Street and Holland Avenue)<sup>3</sup> from 30:38 to 38:45.<sup>4</sup>

At times, the defendant appears agitated. *See* PSR ¶ 11. For example, at one point, the defendant raises his left arm and points the gun off camera. At another point, the defendant appears to be pounding his chest, while holding the gun, and taunting someone off camera. *See* Ex. 5 from 30:45 to 31:25. Eventually, at approximately 7:53 a.m., the defendant crouches down by the front passenger-side tire of a gray car parked on the southeast corner (where the gun is eventually found), and stands up. *See* Ex. 5 from 38:35 to 38:50. As noted above, the first 911 call about the defendant assaulting the caller and pulling out a gun was made at approximately 7:21 a.m.; therefore, at an absolute minimum, the defendant had the gun from approximately 7:21 a.m. to approximately 7:53 a.m.

Shortly after the defendant crouches down to hide the gun, a marked police car pulls up to that corner next to the defendant. *See* Ex. 5 at 39:45 to 39:50. Two uniformed officers exit the car and begin speaking to the defendant. *See* Ex. 5 at 39:50 to 41:40. Shortly thereafter, another marked

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<sup>2</sup> The Government will transmit to the Court’s chambers a disc or drive with all exhibits.

<sup>3</sup> The timestamp in the upper right-hand corner of the video is accurate. Because the camera is motion activated, the video sometimes jumps over those times when there is no motion detected and, therefore, the video is not recording.

<sup>4</sup> All citations to video in this submission are to the minute-and-second mark of the video file, not the timestamp that appears on screen.

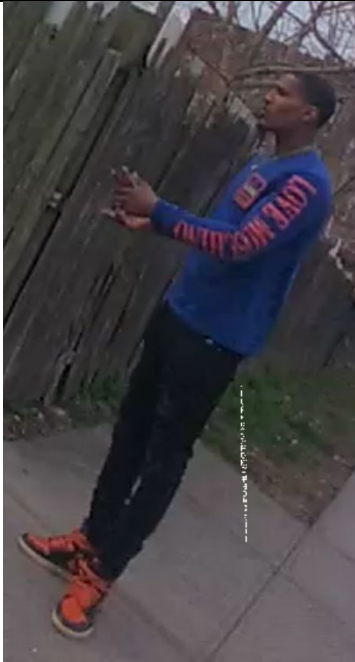
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police car arrives with two more uniformed officers. *Id.* One of the officers looks near the tire where the defendant had crouched down moments earlier. *See* Ex. 5 at 41:40. As the officer stands up, all the officers move in and arrest the defendant. *See* Ex. 5 from 41:40 to 42:00.

Multiple police officers had arrived in response to a radio run about an individual with a gun. *See* PSR ¶ 12. When Officer Matthew Strawn arrived, the defendant, who appeared to match the description sent over the radio, was talking to other officers on the sidewalk. *Id.* At some point, another officer, who was canvassing the surrounding area, signaled the presence of a firearm near the front passenger-side tire of the gray car parked on the corner. *Id.* The officers then handcuffed and arrested the defendant. *Id.* The defendant had \$5,419 cash on him, which the officers later vouchered. *Id.* That included about 23 \$100 bills, 10 \$50 bills, and 128 \$20 bills. After the defendant was handcuffed, Officer Strawn went to the area where the other officer had signaled and saw a black firearm on the pavement behind the front passenger-side tire of the car. *Id.* The gun was later vouchered. *Id.*

Body worn police camera recorded the sights and sounds of the defendant's deplorable behavior during his arrest. *See* PSR ¶ 13. As an initial matter, the defendant, as depicted on the body camera, clearly matches the description the 911 callers provided when they saw him with a gun:

	<ul style="list-style-type: none"> <li>• Second Caller: “He has on a long sleeve blue shirt with orange writing that says ‘Love Moschino’ on it.... And he has on blue jeans and his sneakers is orange and black.” <i>See</i> Exs. 2 and 2-T.</li> <li>• Third Caller: “Blue shirt with orange writing and sneakers. Slender build and he’s ranting and raving so you know.... orange sneakers, blue shirt with orange writing on the sleeves.” <i>See</i> Exs. 3 and 3-T.</li> <li>• Fourth Caller: “He’s wearing a blue long sleeve shirt.” <i>See</i> Exs. 4 and 4-T.</li> </ul>
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The body worn camera also shows that, during the course of his arrest, the defendant:

- Resisted being placed in the backseat of a police car and then kicked the rear passenger window of the car multiple times, *see* PSR ¶ 13; Ex. 6 (Officer Strawn police body camera) from 2:20 to 5:35, Ex. 7 (Officer Delarosa police body camera) from 2:35 to 5:30;
- Falsely proclaimed his innocence (e.g., “I never had no firearm;” “I can’t wait ’til you go through the lab. Cause I ain’t touch nothing.”), *see* PSR ¶ 13; Ex. 6 from 2:00 to 2:11; Ex. 7 from 5:55 to 6:00, and 7:20 to 7:30;
- Repeatedly tried to provoke the officers into a physical altercation (e.g., “Punch my face! I dare you!”), *see* PSR ¶ 13; Ex. 6 from 7:15 to 7:25; Ex. 7 from 7:10 to 7:20, and from 22:00 to 22:35.
- Insulted the male officers for taking direction from the supervising sergeant on the scene, who was a woman, *see* PSR ¶ 13; Ex. 7 from 9:00 to 9:15;
- Directed vile and misogynistic comments at the sergeant, *see* PSR ¶ 13; Ex. 7 from 21:00 to 21:10; and;
- Made bigoted and homophobic comments towards a Hispanic officer, *see* PSR ¶ 13; Ex. 7 from 22:00 to 22:35.

Once he was in a holding cell at the precinct, the defendant—with the body worn camera of an officer still rolling—loudly and proudly proclaimed his gang affiliation for all to hear, screaming on video, “I’m the boss of Rikers Island! When you go to the Island, they say Damu Hound, Blood Hound Brim!”<sup>5</sup> *See* PSR ¶ 13; Ex. 8 (Sgt. Coote police body camera) from 12:44 to 13:00.

Police later sent the firearm, which was loaded with twelve rounds of ammunition, to the Firearms Analysis Section of the New York City Police Laboratory, where it was determined to be operable. *See* PSR ¶ 14. In addition, the Office of the Chief Medical Examiner (“OCME”) tested a swab of the trigger/trigger guard of the firearm and determined that there was a 22-locus DNA

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<sup>5</sup> The Blood Hound Brims (“BHB”) are a violent street and prison gang that has operated throughout New York City, among other places, for at least the past 15 years. *See* PSR ¶ 13 n.2. The BHB are a faction of the Bloods street gang, which operates nationwide, and is under the New York Blood Brim Army (“NYBBA”). Many members and associates of BHB have been prosecuted in this District for racketeering-related crimes. For example, Latique Johnson, a/k/a “La Brim,” the founder and “Godfather” of BHB, was convicted on March 27, 2019, following a five-week jury trial before Judge Gardephe, who later sentenced Johnson to 30 years’ imprisonment.

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profile from one male contributor. The OCME then compared that profile against a profile that was extracted from a cigarette butt that the defendant used and abandoned on the day of his arrest. Based on this comparison, the OCME concluded that it was “4.77 quadrillion ( $4.77 \times 10^{15}$ ) times more probable” that the defendant’s DNA was recovered from the trigger/trigger guard of the firearm than that of some unknown person.

The next day, March 22, 2020, one of the 911 callers viewed a six-person photo array and said, in substance, that a photograph of the defendant in the array looked like the person with the gun. *See* PSR ¶ 16.

### **B. The Defendant’s Guilty Plea and the Applicable Guidelines Range**

After receiving a *Pimentel* letter from the Government, the defendant pled guilty to unlawfully possessing a firearm and ammunition after having been convicted of a felony in violation of 18 U.S.C. § 922(g)(1). The parties and Probation seem to agree that the applicable Guidelines range, without any departures, is 77 to 96 months’ imprisonment.

## **II. Applicable Law**

As the Court knows, its first task is to correctly calculate the defendant’s applicable Guidelines range and, in doing so, determine whether any departures are appropriate. As relevant to this sentencing, Section 4A1.3(b)(1) of the Sentencing Guidelines states that, “[i]f *reliable information* indicates that the defendant’s criminal history category substantially over-represents the seriousness of the defendant’s criminal history or the likelihood that the defendant will commit other crimes, a downward departure may be warranted.” U.S.S.G. § 4A1.3(b)(1) (emphasis added).

After correctly calculating the applicable Guidelines range, the Court must consider the seven factors outlined in Title 18, United States Code, Section 3553(a). In determining the appropriate sentence, the Court must impose a sentence sufficient, but not greater than necessary, to comply with the purposes of sentencing. *See* 18 U.S.C. § 3553(a).

The “burden [is] on the defendant to prove, by a preponderance of the evidence, that a downward departure or reduction of his sentence [is] appropriate.” *United States v. Johnson*, 413 Fed. App’x 320 (2d Cir. Jan. 13, 2011); *see also United States v. Cotto*, 347 F.3d 441, 445 (2d Cir. 2003) (“The defendant bears the burden of proving that he or she is entitled to a downward departure.”); *United States v. Butler*, 970 F.2d 1017, 1026 (2d Cir.1992) (“If the defendant seeks decreased punishment, he or she has the burden of showing that the circumstances warrant that decrease.”) (citations omitted). Moreover, “[i]n resolving any dispute concerning a factor important to the sentencing determination, the court may consider relevant information without regard to its admissibility under the rules of evidence applicable at trial, provided that the information has sufficient indicia of reliability to support its probable accuracy.” U.S.S.G. § 6A1.3(a).

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### III. Discussion

#### A. The Defendant's Motion for a Downward Departure Should be Denied.

The defendant seeks a downward departure under U.S.S.G. § 4A1.3(b)(1). *See* Def. Sent. Sub. at 9-10, 13. The defendant's motion should be denied.

The defendant's criminal history category does not "over-represent[] the seriousness of the defendant's criminal history or the likelihood that the defendant will commit other crimes." U.S.S.G. § 4A1.3(b)(1). The defendant, who is 33 years old, has *nineteen* criminal convictions, including the instant offense. *See* PSR at page 31. His nineteen criminal history points put him far above the 13-point threshold for a criminal history category of VI. *See* PSR ¶ 54. Among the defendant's prior convictions are two felony convictions for crimes of violence and three other convictions for violent crimes. Those convictions for violent crimes include the following:

- In January 2019, the defendant was sentenced to one year of imprisonment following his conviction in Bronx County Criminal Court for assault in the third degree with intent to cause physical injury. *See* PSR ¶ 51. On September 10, 2018, the defendant approached the victim and struck him in the face with a closed fist. *Id.* The defendant grabbed the victim's sweatshirt and pushed the victim to the ground, and he struck the victim repeatedly about the head and torso with closed fists. *Id.* The defendant then grabbed a box cutter with a green handle and slashed the victim in the back of the neck. *Id.*
- In October 2016, the defendant was sentenced to one year of imprisonment following his conviction in Bronx County Criminal Court for assault in the third degree with intent to cause physical injury. In March 2016, the defendant physically and sexually assaulted the mother of his child. The defendant punched her, causing bruising to her face, arms, and leg, then hit her arms with a wooden pole, then sexually assaulted her with the pole, and then forcibly raped her. *See* PSR ¶ 49.
- In December 2013, the defendant was sentenced to 18 months to three years of imprisonment following his conviction in Bronx County Supreme Court for attempted robbery in the third degree, a class E felony. *See* PSR ¶ 46. On October 26, 2012, the defendant punched a victim with closed fists and forcibly stole a gold chain from his neck. *Id.*
- In June 2011, the defendant was sentenced to 12 months of imprisonment following his conviction in Mount Vernon City Court for assault in the third degree with intent to cause physical injury. *See* PSR ¶ 43. In April 2010, in Mount Vernon, New York, the defendant and four other individuals approached the victim and his sister and assaulted them. *Id.* The defendant told the male victim "Indian, go back to your fucking country" and punched his face, shoulder, and then flung the victim to the ground. *Id.* In attempts



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to help her brother, the victim's sister attempted to intervene; however, the defendant punched her twice in the face. *Id.*

- In July 2011, the defendant was sentenced to one year of imprisonment following his conviction in Westchester County Court for assault in the second degree with intent to cause physical injury with a weapon or instrument, a class D felony. *See* PSR ¶ 42. On December 31, 2009, in Mount Vernon, New York, the defendant hit another individual with a metal bat causing a deep two-inch laceration on the victim's forehead and severe swelling on the victim's left forearm. *Id.* The defendant resisted arrest and the MVPD had to subdue him with a taser. *Id.*

Over the past decade, the defendant has amassed six convictions (including the instant offense) for violent, and at times, depraved criminal conduct that clearly demonstrates his ongoing danger to the community and his likeliness to commit further crimes. There is an unmistakable pattern of the defendant using violent and aggressive behavior without hesitation or concern for the safety and well-being of others.

Against this backdrop, the defendant makes the extraordinary claim that “[n]one of his criminal history points arise from an incident where he intentionally sought to commit a crime.” Def. Sent. Sub. at 12. To minimize the seriousness of the defendant's past criminal conduct, the defense sentencing memorandum relies on a series of unsworn, self-serving statements from the defendant and others with no evidentiary support attached. For example, with respect to each of the five convictions for violent crimes discussed above, the defense submission asserts that: (1) the defendant was “just protecting himself” during the September 2018 incident, Def. Sent. Sub. at 12; (2) defense counsel has “spoken to the victim of” the defendant's forcible rape and she “describes a very different scene,” Def. Sent. Sub. at 11-12; (3) the defendant's attempted robbery conviction involved an incident that “was not a robbery” and that the defendant pleaded guilty to a crime he did not commit to avoid more serious charges, Def. Sent. Sub. at 11; (4) the incident where the defendant punched a male victim and his sister in the face was just “another fight that Dominick gets into while out at a bar,” Def. Sent. Sub. at 10; and (5) paragraph 42 of the PSR “does not fully describe the incident” where the defendant beat someone with a metal bat, Def. Sent. Sub. at 10.

The Government submits that such unsworn statements in an attorney's sentencing memorandum are not sufficient for the defendant to meet his burden of proving his entitlement to a downward departure under Section 4A1.3(b)(1). *Cf. Kulhawik v. Holder*, 571 F.3d 296, 298 (2d Cir. 2009) (“An attorney's unsworn statements in a brief are not evidence.”); *see also* U.S.S.G. § 4A1.3(b)(1) (“reliable information” needed to show entitlement to downward departure).<sup>6</sup> By

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<sup>6</sup> To be crystal clear, the Government is not in any way questioning defense counsel's credibility. Rather, the Government submits that the unsworn, self-serving statements that the defendant and others have made to defense counsel, and that have been incorporated into and relied on in

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making a motion for a downward departure under Section 4A1.3(b)(1), the defendant has squarely put at issue the particulars of his prior convictions and assumed the burden of proving his version of events. The defendant is free to try and meet that burden by presenting evidence beyond what is contained in his counsel's sentencing memorandum. He can either provide evidence directly to the Court (like the Government has done with the attachments hereto) or call witnesses, who will testify under oath and be subject to cross-examination, and present evidence at a hearing. Naturally, the defendant himself would be the most logical witness in this regard. Nonetheless, at this point, the defendant has not come anywhere close to meeting his burden.

Notwithstanding that the burden is on the defendant to prove those facts that he claims warrant a downward departure under U.S.S.G. § 4A1.3 and that the Government has no burden whatsoever in this regard, the Government would be remiss if it did not share with the Court evidence regarding the defendant's prior sexual assault conviction that defeats the defense's attempts to minimize its seriousness. Police interviewed the victim of the defendant's sexual assault (also the mother of his child) at the emergency room in the afternoon after the incident. *See* Ex. 9 (under seal) (police report with statements of the victim and photographs of the victim's injuries) at 1.<sup>7</sup> The night before, the defendant started arguing with the victim about her fidelity to him. *Id.* Once inside, the defendant dragged the victim upstairs by the hoodie and punched her face with his fist. *Id.* The defendant demanded that she undress, hit her arms with a stick and slightly penetrated her vagina with the stick while she pushed at him. *Id.* Then, the defendant put his mouth on her vagina and bit her clitoris. *Id.* The defendant then penetrated the victim's vagina with his penis while holding her down. *Id.* The defendant put the victim in a headlock to hold her on the bed with him and they both fell asleep. *Id.* When the victim awoke, she quietly communicated with her friend and sister using her phone to alert them of the emergency and her location. *Id.* The victim carefully got up as to not wake the defendant, got her clothes and fled into the street. *Id.*

When interviewed by police at the emergency room, the defendant's victim had visible bruises and welts on her body, including the right side of her face, right upper thigh, both upper arms, and her left forearm, and a welt showing the pattern of a stick on her right forearm. *See* Ex. 9 at 4-5. Also while at the emergency room, the victim, at the direction of police, placed a controlled call to the defendant during which she confronted him, mentioned how he beat her up, put a stick in her vagina, and then raped her. *See* Ex. 9 at 6 and Ex. 10 (recorded phone call between victim and defendant) (under seal). On the call, the victim said she was injured and in pain and that the defendant could have killed her. *Id.* The defendant acknowledged that he did "violate" the victim, but said he was not going to kill her and repeatedly asked her not to press charges. *Id.* A rape kit was administered and a vulvar swab tested positive for the defendant's DNA. *See* Ex. 9 at 7-8. Unfortunately, it appears that the defendant successfully coerced the victim into becoming uncooperative, resulting in a plea of guilty to a much reduced charge.

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counsel's sentencing memorandum, are not reliable and are not sufficient for the defendant to meet his burden.

<sup>7</sup> The Government respectfully requests that Exhibits 9 and 10 be maintained under seal to protect the safety and privacy of the victim.



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As this heinous and despicable example makes clear, violence is hardly anathema to the defendant. His argument that his 18 prior criminal convictions, including his five prior convictions for violent crimes, somehow “over-represent[]” the seriousness of his criminal history or the likelihood that he will commit other crimes is dangerously close to frivolous.

### **B. The Section 3553(a) Factors Call for A Guidelines Sentence.**

A Guidelines sentence is necessary in this case for several reasons.

A Guidelines sentence is necessary to appropriately reflect that the defendant is guilty of a very serious and dangerous offense. This is not a case in which a convicted felon was peacefully, though unlawfully, walking around with a gun in his pocket or driving around with a gun in his car without posing any immediate danger to anyone around him. Quite the contrary. This was a violent crime. The defendant punched a woman and her friend in the face, and then pulled out and pointed a gun that was fully loaded with 12 rounds of ammunition. According to one 911 caller, the defendant was “ranting and raving” with the gun in his hand, which is consistent with security camera video that shows the defendant with the gun and, at times, pointing the gun off camera, pounding his chest, and seemingly ready for a violent confrontation. It is pure luck that this incident did not escalate to a point where the defendant—who, as detailed below, has a serious history of violence—shot or killed someone. Thankfully, several concerned individuals called 911 and the police quickly responded to both arrest the defendant and recover the firearm. Nonetheless, a Guidelines sentence is necessary to reflect the seriousness of the offense and to provide for just punishment.

In counsel’s sentencing memorandum, the defendant offers a self-serving account of the instant offense with no evidentiary basis. The defendant claims that he was “attack[ed]” and was “able to wrench” away from the hand of his attacker the gun, which he had for “just minutes” and not “an extended period of time.” Def. Sub. at 1, 2, and 5. As noted above, the defendant must offer actual proof of this version of events, not *ipse dixit* in a legal memorandum. Before the Court can credit the defendant’s story, it must be tested in the crucible of cross-examination. Still, the evidence already in the record contradicts the defendant’s story. A woman, clearly in an excited and fearful state, called 911 and reported that the defendant punched her and her friend in the face and then pulled out a gun. See Exs. 1 (911 call) and 1-T (transcript of 911 call) at 3:17-18 (“[H]e punched me and my friend, like, beat us up and then he pulled out a gun.”). This 911 call, which would be admissible at trial as both an excited utterance and a present sense impression, is powerful evidence that the instant offense is much more serious than the defendant would have the Court believe. In addition, the DNA evidence, as described above, shows that DNA from only one person—the defendant—was found on the trigger/trigger guard of the firearm, making it very unlikely that another person pulled out the gun in an attempted attack on the defendant. The evidence also shows that the defendant did not have the gun for “just minutes.” The first 911 call about the defendant assaulting the caller and pulling out a gun was made at approximately 7:21 a.m. See Ex. 1; Ex. 1A at 2. The defendant is later seen on video hiding the gun at approximately 7:53 a.m. See Ex. 5 from 38:35 to 38:50. Therefore, at an absolute minimum, the defendant had the gun from approximately 7:21 a.m. to approximately 7:53 a.m., or approximately 32 minutes.

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A Guidelines sentence is also necessary to protect the public from further crimes of the defendant, to afford adequate deterrence, and to promote respect for the law. The argument is often made that it is the *certainty* of imprisonment, rather than the *length* of imprisonment, that affords adequate deterrence and, thereby, protects the public from further crimes by the person being sentenced. The defendant's criminal history—light sentences for 18 criminal convictions, including five for violent crimes—shows that argument has little force with respect to him. Sadly, the criminal justice has failed to protect the public from the defendant. A series of lenient sentences has not chastened the defendant and instilled in him a respect for the law. To the contrary, it has emboldened the defendant.

While the offense conduct and the defendant's prior criminal convictions amply demonstrate his future dangerousness, a few other factors point in that direction as well.

First, even after he committed the instant offense, the defendant engaged in senseless and brutal violence, as captured on video. On April 3, 2020, while the defendant was on pretrial release for the original state gun charge, the defendant committed another violent crime. *See* PSR ¶ 65. The defendant was selling marijuana at a convenience store in the Bronx when he got into an argument with a prospective customer. The defendant—the clear aggressor—then punched the victim in the face, after which several of the defendant's friends joined in the assault and, along with the defendant, robbed the victim of about \$400 in cash. The convenience store security camera recorded the events. *See* Ex. 11 from 3:00 to 4:10 (defendant in plaid shirt punching and attacking victim). As this video shows, there is no reason to believe that the defendant's long history of senseless violence somehow ended with the instant offense. It has, in fact, continued.

Second, while the defense submission claims the defendant is “not gang affiliated,” Def. Sent. Sub. at 8, the defendant's own words, recorded on police body camera, contradict this representation. While in a precinct holding cell, the defendant loudly proclaimed his affiliation with the Blood Hound Brims. *See* Ex. 8 (Sgt. Coote police body camera) from 12:44 to 13:00 (“I’m the boss of Rikers Island! When you go to the Island, they say Damu Hound, Blood Hound Brim!”). During a bail hearing in January 2021, the Court suggested that it was possible that the defendant falsely proclaimed an affiliation with the Blood Hound Brims to protect himself while in custody. Respectfully, the Government submits that this is not the most reasonable inference to draw from the evidence. As an initial matter, this supposition raises the question: of the many gangs that operate in the Bronx, why did the defendant choose the Blood Hound Brims to falsely align himself with? More to the point, when the defendant made this statement, he was not in Rikers Island or any other jail. He was in a precinct holding cell by himself while another individual was being processed for a driving while intoxicated charge. *See* Ex. 8 (Sgt. Coote police body camera). The defendant was under no danger or threat whatsoever that would have counseled in favor of his falsely signaling a gang affiliation. Furthermore, if the defendant was lying about being affiliated with the Blood Hound Brims to protect himself, he would have been taking an enormous and illogical risk. Why risk angering a true member of the Blood Hound Brims who would not take kindly to an outsider falsely proclaiming affiliation with the gang? Why risk agitating a rival of the Blood Hound Brims with such a lie? The Government respectfully submits that the most reasonable explanation of the defendant's statement is the simplest one: the defendant

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*said* he is a Blood Hound Brim, because he *is* a Blood Hound Brim. The defendant cannot escape this most logical conclusion with a cursory denial through his counsel.

Third, the defendant seems to take pride in his criminal lifestyle, and his disdain for law enforcement. That much is clear from the shameful vitriol he spewed at the officers who arrested him, his false proclamations of innocence, and his resisting arrest and attempts to kick out the window of a police car, all of which were captured on body camera footage. Furthermore, while the defendant claims he was “unemployed” at the time of his arrest, in reality, the defendant—who had \$5,419 cash on him when arrested—has for some time had a thriving drug business, which he openly discussed on recorded jail calls and for which he deploys violent means when necessary. *See* PSR ¶ 98; Ex. . While in custody, between April 21, 2020, to April 29, 2020, the defendant made several recorded phone calls in which he discussed his drug dealing operation at the convenience store. *See* PSR ¶ 98. As an example, defendant complained to two members of his drug dealing crew, “Skinny J,” and “Knockout,” about a half of a pound of marijuana, \$2,000, and a scalpel that Lewis lost as a result of his April 21, arrest, and the \$5,400 that the defendant lost as a result of his March 21 gun arrest. The defendant also lamented that he kept being arrested and losing money and marijuana “out of his pocket.” The defendant pressed his crew to continue selling drugs at the store so that they could maintain their territory.

In short, after the defendant’ 18 criminal convictions, there is nothing in the record which suggests that the 19th time will be the charm. The violent nature of the instant offense and the defendant’s long history of violent crimes suggests demand that the defendant be incapacitated for a significant length of time to protect the safety of the public.

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For the reasons set forth above, the Government respectfully submits that a sentence within the applicable Guidelines range is necessary to achieve the purposes of sentencing under 18 U.S.C. § 3553(a).

Respectfully submitted,

DAMIAN WILLIAMS  
United States Attorney for the  
Southern District of New York

By:   
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cc: Counsel of Record (by ECF)

**Exhibit Index**

<b><u>Exhibit Number</u></b>	<b><u>Description</u></b>
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# **Exhibit 1**

**(on disc)**



# **Exhibit 1-T**

1 UNITED STATES DISTRICT COURT  
2 SOUTHERN DISTRICT OF NEW YORK

3 -----X  
4 UNITED STATES OF AMERICA :  
5 v. :  
6 :  
7 DOMINICK LEWIS, :  
8 Defendant. :  
9 -----X

10 RECORDED 911 CALL

11 Call Date: March 21, 2020  
12 Call Start: 7:20:53 AM  
13 Call Duration: 3 minutes 11 seconds  
14 Dialed Number:  
15 Participants: Dispatcher [D]  
16 Caller-1 [C1]

17 Abbreviations: [UI] Unintelligible  
18 [PH] Phonetic Spelling  
19 [VO] Voices Overlap  
20 [IA] Inaudible  
21  
22  
23  
24  
25

1

2

3 D: New York City 911. Do you need police, fire, or  
4 medical? [Pause] Hello, caller? Do you need  
5 police, fire, or medical?

6 C1: Yes, I'm at 213th and White Plains Road.

7 D: Okay.

8 C1: 213th and Holland.

9 D: East 213 Street and White Plains Road?

10 C1: Holland.

11 D: I'm sorry?

12 C1: I'm on Holland. 213th and Holland.

13 D: Okay, East 213 Street and Holland Avenue?

14 C1: Yea.

15 D: What is the emergency, ma'am?

16 C1: Hello?

17 D: Yes, what is the emergency?

18 C1: I don't know, but some man is in front of me, he  
19 has a gun right now.

20 D: You said he has a gun?

21 C1: Yes, he has a gun.

22 D: You seen a gun?

23 C1: Yes. Me and multiple people. I'm scared. Please,  
24 please, please, I have to hang up.

25 D: Okay, where's the gun at? Where is the- where is

1 the gun?

2 C1: I have to hang up—

3 D: Where?

4 C1: I don't want him to see me on the phone. I'm  
5 scared.

6 D: Okay, is he Black, White, Hispanic, Asian,  
7 Indian? Ma'am, is he Black, White, Hispanic,  
8 Asian, or Indian?

9 C1: Yes, he's Black.

10 D: He's Black? [Silence] Hello?

11 C1: [UI]

12 D: Ma'am, hello? Do you know him?

13 C1: Yea.

14 D: Okay, what is he? Black, White, Hispanic?

15 C1: Huh?

16 D: What is he? Black, White, Hispanic, Asian? What  
17 is his race? [Silence] Ma'am, what is his race?  
18 What is he wearing? [Silence] Hello?

19 C1: Yeah.

20 D: Ma'am, what is he wearing?

21 C1: He's African American. He has on a jean jacket—  
22 it has like- like a dog on the back or some type  
23 of graffiti on the back. His first name is  
24 Dominick and I don't know his last name.

25 D: Okay, is he light skin, dark skin, brown skin?

1 C1: He's- he's brown-

2 D: He's brown skin-

3 C1: -but not dark

4 [VO]

5 D: How tall is he around? How tall?

6 C1: Maybe like 6'2.

7 D: About 6'2. Is he slim, medium, heavy build?

8 C1: Um, maybe [UI] but he's kinda slim [UI]

9 D: He's slim build. Is he on the corner? Where

10 exactly is he?

11 C1: Yeah, he's walking down.

12 D: Where is he headed now?

13 C1: I'm on 213th and Holland and he's [UI] headed

14 down either 213th on White Plains Road or either

15 215th on White Plains Road.

16 D: Okay, is anyone injured right now?

17 C1: Yeah, he punched me and my friend, like, beat us

18 up and then he pulled out a gun.

19 D: Okay, are you injured?

20 C1: Yeah, I am.

21 D: He hit you? How are you injured?

22 C1: Yeah, my whole- my face is like swollen. I'm not

23 injured injured, but-

24 D: Did he hit you in your face?

25 C1: Yeah, he did.

1 D: Okay.

2 C1: Me and my best friend.

3 D: Okay.

4 C1: I can't stay on the phone too much longer, okay?

5 D: Okay. You said- what was his name?

6 C1: I don't know, I just know that he's [UI] but um-  
7 first name is like Dominick or Dominique[PH] or  
8 Dominick.

9 D: Okay, ma'am, the um- the dispatcher's trying to  
10 call you so just answer the phone when they pick  
11 uh- when they call you, okay?

12 C1: Yes, I will.

13 D: I'm operator 1439, you have, you take care, okay?

14 C1: Thank you so much.

15 D: You're welcome. Bye-bye.

16 C1: Bye.

17 [End of call]

18

19

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21

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24

25



# **Exhibit 1A**

Jun 8 2014 07:00pm

P001/001



## POLICE DEPARTMENT

POLICE DEPARTMENT  
CITY OF NEW YORK  
COMM DIVISION  
TAPE AND RECORDS UNIT

6/9/20

2020 JUN -9 P 7:02

41066

From: Commanding Officer, Bronx Violent Crimes Squad  
To: Commanding Officer, Tape and Records Unit  
Subject: REQUEST FOR 911 SPRINT RECORDS AND/OR TAPE REPRODUCTIONS

I am requesting that the following information and/or copies of records, which are necessary for an official Department Investigation regarding, COMPLAINT REPORT # 2020-047-002635, CASE # 2018-0048 be provided:

Type of search:

☒ ICAD Request  
(Document)

☒ 911 Call  
(C.D./Tape)

☒ Radio Transmission  
(C.D./Tape)

DATE/TIME OF OCCURRENCE: 3/21/20

PLACE OF OCCURRENCE: C/O East 213 Street & Holland Avenue

PRECINCT: 47

TYPE OF RUN: Male with a firearm

REMARKS: D20032106377,D2003216616,N20032106377,N20032106616

S20032106616

  
Commanding Officer's Signature

Upon completion please notify:

DET	Elvis Cole	9173196674	elvis.cole@NYPD.org
Rank	Name	Contact Number	Dept. email

COURTESY • PROFESSIONALISM • RESPECT

PO 158-101 (Rev. 1-01) 5

USAO\_000314

# Event Chronology -- D20032106377

☒ System Comments ☒ Associated Events

Event	Time	Date	Terminal Operator	Action
20032106377	07:20:53	3/21/2020	ps2-c096 <a href="#">371014</a>	ANI NUM=125165407, CALLER NAME=T-MOBILE USA, ANI= [REDACTED], ALI= [REDACTED], COMMENT=: SECTOR N, COMPANY=TMOB, CLASS=WPH2 [REDACTED], XY=XY(102191090,25962716)
	07:21:12	3/21/2020	ps2-c096 <a href="#">371014</a>	ANI NUM=125165413, CALLER NAME=T-MOBILE USA, ANI= [REDACTED], ALI= [REDACTED], COMMENT=: SECTOR N, COMPANY=TMOB, CLASS=WPH2 [REDACTED], XY=XY(102188708,25965081)
	07:21:44	3/21/2020	ps2-c096 <a href="#">371014</a>	EVENT CREATED: BX, Cross Streets=E 213 ST /HOLLAND AVE, Name=T-MOBILE USA, Address=LL(-73:51:49.7485,40:52:45.1523): EST [REDACTED], Call Source=ANI/ALI, Phone Number= [REDACTED], Zone=Z14, PCT/Sector=47A  Route=D, PCT=47, Sector=47A, St=Pending, P=3, Current=F, Open =T, Type=10F2-INVESTIGATE/POSSIBLE CRIME: FIREARM/OUTSIDE, Open/Curent=F  Route=OPS, PCT=NYC, Sector=NYC, St=Pending, P=3, Current=F, Open =T, Type=10F2-INVESTIGATE/POSSIBLE CRIME: FIREARM/OUTSIDE, Open/Curent=F  EVENT COMMENT=PERP HAS FIREARM  *PRE-REL*
	07:21:45	3/21/2020	loi-search <a href="#">371014</a>	EVENT COMMENT=** LOI search completed at 03/21/20 07:21:45
	07:21:46	3/21/2020	1pp-joc02 <a href="#">934714</a>	EVENT COMMENT=Event N20032106377 has been displayed by the covering dispatcher  ** >>>> by: 934714 at 03/21/20 07:21:46 on terminal: 1pp-joc02
	07:22:07	3/21/2020	ps2-d14 <a href="#">368117</a>	EVENT COMMENT=Event D20032106377 has been displayed by the covering dispatcher  ** >>>> by: 368117 at 03/21/20 07:22:07 on terminal: ps2-d14
	07:22:19	3/21/2020	ps2-d14 <a href="#">368117</a>	EVENT COMMENT=XMITTED---D2647
	07:22:20	3/21/2020	ps2-d14 <a href="#">368117</a>	Unit=47B1-1, St=DA, Comment=Event D20032106377 Dispatch Assigned  EVENT COMMENT=47B1-1 -- Event D20032106377 Dispatch Assigned
	07:22:21	3/21/2020	ps2-d14 <a href="#">368117</a>	Route=D, PCT=47, Sector=47A, St=Dispatch Assigned, P=3, Current=F, Open =T, Type=10F2-INVESTIGATE/POSSIBLE CRIME: FIREARM/OUTSIDE, Open/Curent=F
	07:22:26	3/21/2020	ps2-d14 <a href="#">368117</a>	Route=D, PCT=47, Sector=47A, St=Dispatch Assigned, P=3, Current=F, Open =T, Type=10F2-INVESTIGATE/POSSIBLE CRIME: FIREARM/OUTSIDE, Open/Curent=F  Route=D, PCT=47, Sector=47A, St=Assigned, P=3, Current=F, Open =T, Type=10F2-INVESTIGATE/POSSIBLE CRIME: FIREARM/OUTSIDE, Open/Curent=F  Unit=47B1-1, St=ER, Loc=E 213 ST/HOLLAND AVE BX  Unit=47B1-1, St=DP, Loc=E 213 ST/HOLLAND AVE BX  Unit=47B1-1, St=ER, Comment=DA Auto Promote, Loc=E 213 ST/HOLLAND AVE BX  EVENT COMMENT=47B1-1 -- DA Auto Promote
	07:22:27	3/21/2020	ps2-d14 <a href="#">368117</a>	Route=D, PCT=47, Sector=47A, St=Assigned, P=3, Current=F, Open =T, Type=10F2-INVESTIGATE/POSSIBLE CRIME: FIREARM/OUTSIDE, Open/Curent=F  Unit=47A1-1, St=DA, Comment=Event D20032106377 Dispatch Assigned  EVENT COMMENT=47A1-1 -- Event D20032106377 Dispatch Assigned
	07:22:29	3/21/2020	ps2-d14 <a href="#">368117</a>	Route=D, PCT=47, Sector=47A, St=Assigned, P=3, Current=F, Open =T, Type=10F2-INVESTIGATE/POSSIBLE CRIME: FIREARM/OUTSIDE, Open/Curent=F  Unit=47A1-1, St=ER, Loc=E 213 ST/HOLLAND AVE BX  Unit=47A1-1, St=DP, Loc=E 213 ST/HOLLAND AVE BX  Unit=47A1-1, St=ER, Comment=DA Auto Promote, Loc=E 213 ST/HOLLAND AVE BX  EVENT COMMENT=47A1-1 -- DA Auto Promote

ps2-

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07:22:39	3/21/2020	c096	371014	EVENT COMMENT=PERP MB WRNG JEAN JKT W DOG PRINT-----
07:22:57	3/21/2020	ps2-d14	<a href="#">368117</a>	EVENT COMMENT=AutoDial: ( [REDACTED] ), for Event #: D20032106377
07:22:58	3/21/2020	ps2-c096	<a href="#">371014</a>	EVENT COMMENT=BRWONSKIN ----6X2 FT ---SLIM BUILT ----
07:23:13	3/21/2020	ps2-c096	<a href="#">371014</a>	EVENT COMMENT=PERP WALKING DOWN E 213 ST/WHITE PLAINS RD----
07:23:23	3/21/2020	ps2-d14	<a href="#">368117</a>	EVENT COMMENT=CK CB---VM---D2647
07:23:43	3/21/2020	ps2-c096	<a href="#">371014</a>	EVENT COMMENT=PERP PUNCHED HER & FRIEND IN FACE ---
07:23:49	3/21/2020	ps2-c096	<a href="#">371014</a>	EVENT UPDATED: BX , Cross Streets=E 213 ST /HOLLAND AVE , Name=T-MOBILE USA , Address=LL(-73:51:49.7485,40:52:45.1523): EST [REDACTED] , Call Source=ANI/ALI , Phone Number=( [REDACTED] ), Zone=Z14 , PCT/Sector=47A EVENT UPDATED: BX , Cross Streets=E 213 ST /HOLLAND AVE , Name=T-MOBILE USA , Address=LL(-73:51:49.7485,40:52:45.1523): EST [REDACTED] , Call Source=ANI/ALI , Phone Number=( [REDACTED] ), Zone=Z14 , PCT/Sector=47A Route=D, PCT=47, Sector=47A, St=Assigned, P=2, Current=F, Open =T, Type=34Q2-ASSAULT (IN PROGRESS): OTHER/OUTSIDE, Open/Curent=F Route=OPS, PCT=NYC, Sector=NYC, St=New, P=2, Current=F, Open =T, Type=34Q2-ASSAULT (IN PROGRESS): OTHER/OUTSIDE, Open/Curent=F EVENT COMMENT=** Event Priority changed from 3 to 2 at: 03/21/20 07:23:49 ** >>>> by: JUNITA J. STCLAIR on terminal: ps2-c096 ** Event Type changed from 10F2 to 34Q2 at: 03/21/20 07:23:49 ** >>>> by: JUNITA J. STCLAIR on terminal: ps2-c096
07:24:10	3/21/2020	ps2-c096	<a href="#">371014</a>	EVENT COMMENT=FC ADVISED DISP CALLING ---
07:24:12	3/21/2020	ps2-c096	<a href="#">371014</a>	EVENT COMMENT=NFI
07:24:14	3/21/2020	ps2-c096	<a href="#">371014</a>	EVENT COMMENT=ANI-[REDACTED] T-MOBILE USA [REDACTED] SECTOR N BRONX COS:WPH2 LAT: [REDACTED] OPER ST CLAIR, JUNITA J-C-PCPPDVCP518-193
07:24:41	3/21/2020	ps2-d14	<a href="#">368117</a>	EVENT COMMENT=AutoDial: ( [REDACTED] ), for Event #: D20032106377
07:24:57	3/21/2020	ps2-d14	<a href="#">368117</a>	EVENT COMMENT=UNIT ADVISED OF CODE CHANGE---D2647
07:26:33	3/21/2020	ps2-d14	<a href="#">368117</a>	EVENT COMMENT=CK CB-----FC STS MLE PUNCHED HER FRIEND IN THE FACE THEN PULLED OUT FIREARM THREATENING EVERYONE ---D2647
07:26:36	3/21/2020	ps2-d14	<a href="#">368117</a>	Unit=47A1-1, St=ER, Loc=E 213 ST/HOLLAND AVE BX
07:26:37	3/21/2020	ps2-d14	<a href="#">368117</a>	Unit=47A1-1, St=84, Loc=E 213 ST/HOLLAND AVE BX
07:26:52	3/21/2020	ps2-d14	<a href="#">368117</a>	EVENT COMMENT=AutoDial: ( [REDACTED] ), for Event #: D20032106377
07:27:10	3/21/2020	ps2-d14	<a href="#">368117</a>	EVENT COMMENT=AutoDial: ( [REDACTED] ), for Event #: D20032106377
07:27:42	3/21/2020	ps2-d14	<a href="#">368117</a>	EVENT COMMENT=AutoDial: ( [REDACTED] ), for Event #: D20032106377
07:27:46	3/21/2020	ps2-d14	<a href="#">368117</a>	EVENT COMMENT=CK CB---VM---D2647
07:27:50	3/21/2020	ps2-d14	<a href="#">368117</a>	EVENT COMMENT=CK CB---VM---D2647
07:27:54	3/21/2020	ps2-d14	<a href="#">368117</a>	EVENT COMMENT=AutoDial: ( [REDACTED] ), for Event #: D20032106377
07:27:58	3/21/2020	ps2-	<a href="#">368117</a>	EVENT COMMENT=CK CB---VM---D2647

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Time	Date	Unit	Event ID	Event Description
07:28:11	3/21/2020	ps2-d14	<a href="#">368117</a>	EVENT COMMENT=CK CB---VM---D2647
07:28:23	3/21/2020	ps2-d14	<a href="#">368117</a>	EVENT COMMENT=47A1-1 -- STS NO ONE AT LOC--D2647
07:28:24	3/21/2020	ps2-d14	<a href="#">368117</a>	Unit=47A1-1, St=EC, Comment=47A1-1 -- STS NO ONE AT LOC--D2647, Loc=E 213 ST/HOLLAND AVE BX
07:28:25	3/21/2020	ps2-d14	<a href="#">368117</a>	EVENT COMMENT=AutoDial: [REDACTED], for Event #: D20032106377
07:28:38	3/21/2020	ps2-d14	<a href="#">368117</a>	EVENT COMMENT=CK CB---VM---D2647
07:30:39	3/21/2020	ps2-d14	<a href="#">368117</a>	EVENT COMMENT=AutoDial: [REDACTED], for Event #: D20032106377
07:30:47	3/21/2020	ps2-d14	<a href="#">368117</a>	Route=D, PCT=47, Sector=47A, St=Assigned, P=2, Primary Unit=47A1-1, Primary Member=0, Current=F, Open =T, Type=34Q2-ASSAULT (IN PROGRESS): OTHER/OUTSIDE, Open/Curent=F Unit=47XO, St=DP, Loc=E 213 ST/HOLLAND AVE BX
07:30:50	3/21/2020	ps2-d14	<a href="#">368117</a>	Unit=47XO, St=84, Loc=E 213 ST/HOLLAND AVE BX
07:31:04	3/21/2020	ps2-d14	<a href="#">368117</a>	EVENT COMMENT=AutoDial: [REDACTED], for Event #: D20032106377
07:31:22	3/21/2020	ps2-d14	<a href="#">368117</a>	EVENT COMMENT=CK CB---VM--D2647
07:31:32	3/21/2020	ps2-d14	<a href="#">368117</a>	EVENT COMMENT=CK CB ---VM---D2647
07:31:41	3/21/2020	ps2-d14	<a href="#">368117</a>	Unit=47XO, St=89, Comment=STS LOC ATS 212/WHITE PLAINS RD----STS GROUP OF KIDS DISPURSED---D2647, Loc=E 213 ST/HOLLAND AVE BX EVENT COMMENT=47XO -- STS LOC ATS 212/WHITE PLAINS RD----STS GROUP OF KIDS DISPURSED---D2647
07:32:44	3/21/2020	ps2-d14	<a href="#">368117</a>	EVENT COMMENT=47XO -- NFU TO LOC D26474
07:32:45	3/21/2020	ps2-d14	<a href="#">368117</a>	Unit=47XO, St=EC, Comment=47XO -- NFU TO LOC D26474, Loc=E 213 ST/HOLLAND AVE BX
07:34:00	3/21/2020	ps2-d14	<a href="#">368117</a>	EVENT COMMENT=AUTH OF 47A1 CANVASSED CONDUCTING--NEG RESULTS---CB CHECK MUTIPLY TIMES-----D2647
07:34:04	3/21/2020	ps2-d14	<a href="#">368117</a>	Route=D, PCT=47, Sector=47A, St=Assigned, P=2, Primary Unit=47A1-1, Primary Member=0, Current=F, Open =T, Type=34Q2-ASSAULT (IN PROGRESS): OTHER/OUTSIDE, Open/Curent=F Route=D, PCT=47, Sector=47A, St=Assigned, P=2, Primary Unit=47A1-1, Primary Member=0, Current=F, Open =T, Type=34Q2-ASSAULT (IN PROGRESS): OTHER/OUTSIDE, Open/Curent=F Unit=47A1-1, St=AV, Comment=* Unit=47B1-1, St=AV, Comment=* Unit=47XO, St=AV, Comment=* Disposition Assigned=90X
07:34:05	3/21/2020	ps2-d14	<a href="#">368117</a>	Route=D, PCT=47, Sector=47A, St=Assigned, P=2, Primary Unit=47A1-1, Primary Member=0, Current=F, Open =T, Type=34Q2-ASSAULT (IN PROGRESS): OTHER/OUTSIDE, Open/Curent=F Route=D, PCT=47, Sector=47A, St=Assigned, P=2, Primary Unit=47A1-1, Primary Member=0, Current=T, Open =F, Type=34Q2-ASSAULT (IN PROGRESS): OTHER/OUTSIDE, Open/Curent=F EVENT CLOSED EVENT COMMENT=*
07:34:20	3/21/2020	1pp-joc02	<a href="#">934714</a>	Route=OPS, PCT=NYC, Sector=NYC, P=2, Primary Member=0, Current=T, Open =F, Type=34Q2-ASSAULT (IN PROGRESS): OTHER/OUTSIDE, Open/Curent=F EVENT CLOSED Disposition Assigned=CANCELEV

USAO\_000317

# Event Chronology -- D20032106616

☒ System Comments ☐ Associated Events

Event	Time	Date	Terminal Operator	Action
20032106616	07:45:28	3/21/2020	ps1-c090 <a href="#">371280</a>	ANI NUM=125165863, CALLER NAME=T-MOBILE USA, ANI=[REDACTED], ALI=[REDACTED], COMMENT=: SECTOR W, COMPANY=TMOB, CLASS=WPH2, [REDACTED], XY=XY(102192856,25965087)
	07:45:48	3/21/2020	ps1-c090 <a href="#">371280</a>	ANI NUM=125165868, CALLER NAME=T-MOBILE USA, ANI=[REDACTED], ALI=[REDACTED], COMMENT=: SECTOR W, COMPANY=TMOB, CLASS=WPH2, LAT=[REDACTED], XY=XY(102194635,25959224)
	07:46:17	3/21/2020	ps1-c090 <a href="#">371280</a>	EVENT CREATED: BX, Cross Streets=E 213 ST /HOLLAND AVE, Name=T-MOBILE USA, Address=LL(-73:51:49.5181,40:52:45.3863): EST [REDACTED], Call Source=ANI/ALI, Phone Number=[REDACTED], Zone=Z14, PCT/Sector=47A  Route=D, PCT=47, Sector=47A, St=Pending, P=3, Current=F, Open =T, Type=10F2-INVESTIGATE/POSSIBLE CRIME: FIREARM/OUTSIDE, Open/Curent=F  Route=OPS, PCT=NYC, Sector=NYC, St=New, P=3, Current=F, Open =T, Type=10F2-INVESTIGATE/POSSIBLE CRIME: FIREARM/OUTSIDE, Open/Curent=F
	07:46:17	3/21/2020	loi-search <a href="#">371280</a>	EVENT COMMENT=** LOI search completed at 03/21/20 07:46:17
	07:46:17	3/21/2020	ps1-c090 <a href="#">371280</a>	EVENT COMMENT=ML W FIREARM IN LEFT HAND  *PRE-REL*
	07:46:24	3/21/2020	ps2-d14 <a href="#">368117</a>	EVENT COMMENT=Event D20032106616 has been displayed by the covering dispatcher  ** >>>> by: 368117 at 03/21/20 07:46:24 on terminal: ps2-d14
	07:46:37	3/21/2020	ps1-c090 <a href="#">371280</a>	EVENT COMMENT=MB LIGHT SKINNED 6X1 SLIM BLD
	07:46:55	3/21/2020	ps2-d14 <a href="#">368117</a>	EVENT COMMENT=XMITTED--D2647
	07:47:10	3/21/2020	ps1-c090 <a href="#">371280</a>	EVENT COMMENT=WRNG LONGF SLEEVE BLU SHIRT THAT SAYS "LOVE MOSCHINO" IN ORANGE BLU PANTS  ORANGE/BLK SNEAKERS
	07:47:22	3/21/2020	ps1-c090 <a href="#">371280</a>	EVENT COMMENT=WALKING TWDS 214 ST/ HOLLAND
	07:47:26	3/21/2020	ps1-c090 <a href="#">371280</a>	EVENT COMMENT=NO INJS
	07:47:37	3/21/2020	ps2-d14 <a href="#">368117</a>	Route=D, PCT=47, Sector=47A, St=Pending, P=3, Current=F, Open =T, Type=10F2-INVESTIGATE/POSSIBLE CRIME: FIREARM/OUTSIDE, Open/Curent=F  Route=D, PCT=47, Sector=47A, St=Assigned, P=3, Current=F, Open =T, Type=10F2-INVESTIGATE/POSSIBLE CRIME: FIREARM/OUTSIDE, Open/Curent=F  Unit=47A2-2, St=DP, Loc=E 213 ST/HOLLAND AVE BX
	07:47:39	3/21/2020	ps2-d14 <a href="#">368117</a>	Route=D, PCT=47, Sector=47A, St=Assigned, P=3, Current=F, Open =T, Type=10F2-INVESTIGATE/POSSIBLE CRIME: FIREARM/OUTSIDE, Open/Curent=F  Unit=47ST1-2, St=DP, Loc=E 213 ST/HOLLAND AVE BX
	07:47:45	3/21/2020	ps2-d14 <a href="#">368117</a>	EVENT COMMENT=AA--SGT NTFD--D2647
	07:47:51	3/21/2020	ps1-c090 <a href="#">371280</a>	EVENT COMMENT=FC STS ML SCREAMING
	07:47:53	3/21/2020	ps2-d14 <a href="#">368117</a>	EVENT COMMENT=AutoDial: [REDACTED], for Event #: D20032106616
	07:48:20	3/21/2020	ps1-c090 <a href="#">371280</a>	EVENT COMMENT=LOC IN CORNER STORE AT 214 ST/ HOLLAND
	07:48:33	3/21/2020	ps1-c090 <a href="#">371280</a>	EVENT UPDATED: BX, Cross Streets=E 213 ST /HOLLAND AVE, Name=T-MOBILE USA, Address=LL(-73:51:49.5181,40:52:45.3863): EST 3621 HOLLAND AVE BX, Call Source=ANI/ALI, Phone Number=[REDACTED], Anonymous=1, Zone=Z14, PCT/Sector=47A  EVENT UPDATED: BX, Cross Streets=E 213 ST /HOLLAND AVE, Name=T-MOBILE

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USA , Address=LL(-73:51:49.5181,40:52:45.3863): EST 3621 HOLLAND AVE BX ,  
Call Source=ANI/ALI , Phone Number=[REDACTED] , Anonymous=1 , Zone=Z14 ,  
PCT/Sector=47A

Route=D, PCT=47, Sector=47A, St=Assigned, P=3, Current=F, Open =T,  
Type=10F2-INVESTIGATE/POSSIBLE CRIME: FIREARM/OUTSIDE, Open/Curent=F

Route=OPS, PCT=NYC, Sector=NYC, St=Pending, P=3, Current=F, Open =T,  
Type=10F2-INVESTIGATE/POSSIBLE CRIME: FIREARM/OUTSIDE, Open/Curent=F

07:48:43	3/21/2020	ps1-c090	<a href="#">371280</a>	EVENT COMMENT=FC REQ TO REMAIN ANON
07:48:45	3/21/2020	ps1-c090	<a href="#">371280</a>	EVENT COMMENT=ANI-ALI-[REDACTED] T-MOBILE USA [REDACTED] SECTOR W BRONX COS:WPH2 LAT: [REDACTED] OPER FLOOD, TATYIANA M-C- MTPPDVCP300-182
07:49:14	3/21/2020	1pp-joc02	<a href="#">934714</a>	EVENT COMMENT=Event N20032106616 has been displayed by the covering dispatcher  ** >>>> by: 934714 at 03/21/20 07:49:14 on terminal: 1pp- joc02
07:49:21	3/21/2020	1pp-joc02	<a href="#">934714</a>	Route=OPS, PCT=NYC, Sector=NYC, P=3, Primary Member=0, Current=T, Open =F, Type=10F2-INVESTIGATE/POSSIBLE CRIME: FIREARM/OUTSIDE, Open/Curent=F  EVENT CLOSED  Disposition Assigned=CANCELEV
07:53:01	3/21/2020	ps2-c050	<a href="#">369693</a>	ANI NUM=125165988, CALLER NAME=Sprint Nextel - CDMA, ANI=[REDACTED], ALI=[REDACTED], COMMENT=: N SECTOR, COMPANY=SPPCS, CLASS=WPH1 [REDACTED],XY=XY(102241315,25888360)
07:53:20	3/21/2020	ps2-c050	<a href="#">369693</a>	ANI NUM=125165992, CALLER NAME=Sprint Nextel - CDMA, ANI=[REDACTED], ALI=[REDACTED], COMMENT=: N SECTOR, COMPANY=SPPCS, CLASS=WPH2 [REDACTED],XY=XY(102175451,25900353)
07:53:33	3/21/2020	ps2-d14	<a href="#">368117</a>	Unit=47A2-2, St=84, Loc=E 213 ST/HOLLAND AVE BX
07:53:40	3/21/2020	ps2-d14	<a href="#">368117</a>	EVENT COMMENT=AutoDial: [REDACTED], for Event #: D20032106616
07:53:43	3/21/2020	ps2-d14	<a href="#">368117</a>	Route=D, PCT=47, Sector=47A, St=Assigned, P=3, Current=F, Open =T, Type=10F2-INVESTIGATE/POSSIBLE CRIME: FIREARM/OUTSIDE, Open/Curent=F  Unit=47C1-2, St=DA, Comment=Event D20032106616 Dispatch Assigned EVENT COMMENT=47C1-2 -- Event D20032106616 Dispatch Assigned
07:53:45	3/21/2020	ps2-d14	<a href="#">368117</a>	Route=D, PCT=47, Sector=47A, St=Assigned, P=3, Current=F, Open =T, Type=10F2-INVESTIGATE/POSSIBLE CRIME: FIREARM/OUTSIDE, Open/Curent=F  Unit=47C1-2, St=ER, Loc=E 213 ST/HOLLAND AVE BX Unit=47C1-2, St=DP, Loc=E 213 ST/HOLLAND AVE BX Unit=47C1-2, St=ER, Comment=DA Auto Promote, Loc=E 213 ST/HOLLAND AVE BX EVENT COMMENT=47C1-2 -- DA Auto Promote
07:55:01	3/21/2020	ps2-c050	<a href="#">369693</a>	EVENT COMMENT=Start of Nearby Duplicate Event data  ANOTHER CALL-----NO INJ--MC STS SAW A FIREARM IN HAND- -MB----5X11----WRING BLUE  SHIRT-----ORANGE SNEAKERS----DARK PANTS----YELLING ON CORNER OF LOC----- MC HU NFI  Duplicate Event:Location = E 213 ST/HOLLAND AVE BX, Cross Street 1 = E 213 ST,  Cross Street 2 = HOLLAND AVE, Caller Name = SPRINT NEXTEL - CDMA, Caller Ph  Number = [REDACTED], Caller Address = [REDACTED]: EST [REDACTED] Call Source = ANI/ALI  End of Nearby Duplicate Event data
07:55:05	3/21/2020	ps2-c050	<a href="#">369693</a>	EVENT COMMENT=ANI-ALI-[REDACTED] SPRINT NEXTEL - CDMA [REDACTED] [REDACTED] N SECTOR BRONX  COS:WPH2 [REDACTED] OPER JACKSON, USAO_000319

CHIVONNE-C-PCPPDVCP518-144

07:55:45	3/21/2020	ps2-d14	<a href="#">368117</a>	EVENT COMMENT=CK CB---FC STS SHE DOES NOT KNOW MLE--STS LOOKING FROM OUT HER WINDOW--FC DOES  NOT WANT TO MEET WITH PD-----D2647
07:57:44	3/21/2020	ps2-c040	<a href="#">370363</a>	ANI NUM=125166043, CALLER NAME=T-MOBILE USA, ANI=( ALI= CLASS=WPH2,LAT= COMMENT=: SECTOR N, COMPANY=TMOB, XY=XY(102149518,25986517)
07:58:03	3/21/2020	ps2-c040	<a href="#">370363</a>	ANI NUM=125166048, CALLER NAME=T-MOBILE USA, ANI=( ALI= CLASS=WPH2 COMMENT=: SECTOR N, COMPANY=TMOB, XY=XY(102155434,25987291)
07:58:11	3/21/2020	ps2-d14	<a href="#">368117</a>	Route=D, PCT=47, Sector=47A, St=Assigned, P=3, Current=F, Open =T, Type=10F2-INVESTIGATE/POSSIBLE CRIME: FIREARM/OUTSIDE, Open/Curent=F  Unit=47A1-2, St=DP, Loc=E 213 ST/HOLLAND AVE BX
07:58:12	3/21/2020	ps2-d14	<a href="#">368117</a>	Unit=47A1-2, St=84, Loc=E 213 ST/HOLLAND AVE BX
07:58:35	3/21/2020	ps2-d14	<a href="#">368117</a>	Unit=47A1-2, St=85, Comment=REQUESTING PATROL SUPERVISOR TO LOC NON E---D2647, Loc=E 213 ST/HOLLAND AVE BX  EVENT COMMENT=47A1-2 -- REQUESTING PATROL SUPERVISOR TO LOC NON E---D2647
07:58:39	3/21/2020	ps2-d14	<a href="#">368117</a>	Route=SOD, PCT=0, Sector=ESB3, St=Pending, P=3, Primary Member=0, Current=F, Open =T, Type=10F2-INVESTIGATE/POSSIBLE CRIME: FIREARM/OUTSIDE, Open/Curent=F
07:58:49	3/21/2020	ps1-d41	<a href="#">359173</a>	EVENT COMMENT=Event S20032106616 has been displayed by the covering dispatcher  ** >>>> by: 359173 at 03/21/20 07:58:49 on terminal: ps1-d41
07:58:53	3/21/2020	ps2-c040	<a href="#">370363</a>	EVENT COMMENT=Start of Nearby Duplicate Event data  ANOTHER CALL  Duplicate Event:Location = E 213 ST/HOLLAND AVE BX, Cross Street 1 = E 213 ST,  Cross Street 2 = HOLLAND AVE, Caller Name = T-MOBILE USA, Caller Ph Number =  ( LL( 0): EST  Call Source = ANI/ALI  End of Nearby Duplicate Event data
07:58:57	3/21/2020	ps2-d14	<a href="#">368117</a>	EVENT COMMENT=AUTH OF 47A1 REQUESTING ESU TO LOC FOR FIREARM SAFE---D2647
07:59:03	3/21/2020	ps1-d41	<a href="#">359173</a>	Unit=0ESB3-2, St=DP, Loc=E 213 ST/HOLLAND AVE BX
07:59:04	3/21/2020	ps1-d41	<a href="#">359173</a>	Route=SOD, PCT=0, Sector=ESB3, St=Pending, P=3, Primary Member=0, Current=F, Open =T, Type=10F2-INVESTIGATE/POSSIBLE CRIME: FIREARM/OUTSIDE, Open/Curent=F  Route=SOD, PCT=0, Sector=ESB3, St=Assigned, P=3, Primary Unit=0ESB3-2, Primary Member=0, Current=F, Open =T, Type=10F2-INVESTIGATE/POSSIBLE CRIME: FIREARM/OUTSIDE, Open/Curent=F
07:59:13	3/21/2020	ps2-c040	<a href="#">370363</a>	EVENT COMMENT=MALE WITH FIREARM
07:59:14	3/21/2020	ps2-c040	<a href="#">370363</a>	EVENT COMMENT=*PRE-REL*
07:59:21	3/21/2020	ps2-c040	<a href="#">370363</a>	EVENT COMMENT=NO INJ
07:59:26	3/21/2020	ps1-d41	<a href="#">359173</a>	Unit=0ESB3-2, St=ER, Loc=E 213 ST/HOLLAND AVE BX
07:59:39	3/21/2020	ps2-c040	<a href="#">370363</a>	EVENT COMMENT=MC STS MALE POINTED THE FIREARM AT HIM
08:00:03	3/21/2020	ps2-c040	<a href="#">370363</a>	EVENT COMMENT=MB WRNG BLU LONG SLEEVE SHIRT ----BLK JEANS ---TATTOO ON HIS NECK

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08:00:15	3/21/2020	c040	370363	EVENT COMMENT=MC STS THE POLICE ARE WITH THE MALE RIGHT NOW
08:00:31	3/21/2020	ps2-c040	<a href="#">370363</a>	EVENT COMMENT=MC STS HE HAS A BLK FIREARM
08:00:56	3/21/2020	ps2-c040	<a href="#">370363</a>	EVENT COMMENT=MALE LOOK ABOUT 21-22 YO----6X0-----MED BUILT
08:01:58	3/21/2020	ps2-c040	<a href="#">370363</a>	EVENT COMMENT=MC STS HE DOES NOT KNOW THE MALE -----STS HE ALSO HAD A PACK OF CIGARETTES IN HIS BACK POCKET
08:02:05	3/21/2020	ps2-c040	<a href="#">370363</a>	EVENT COMMENT=MC REQ TO REMAIN ANON
08:02:08	3/21/2020	ps2-c040	<a href="#">370363</a>	EVENT COMMENT=ANI-ALI- T-MOBILE USA SECTOR N BRONX COS:WPH2 OPER GIBSON, JUANKIBA K-C-PCPPDVCP518-133
08:02:11	3/21/2020	ps2-c040	<a href="#">370363</a>	EVENT COMMENT=1165
08:03:13	3/21/2020	ps2-d14	<a href="#">362384</a>	Unit=47ST1-2, St=84, Loc=E 213 ST/HOLLAND AVE BX
08:03:23	3/21/2020	ps2-rsbx1	<a href="#">354421</a>	EVENT COMMENT=SPCT BELGRAVE NTFD
08:04:16	3/21/2020	ps2-d14	<a href="#">362384</a>	Route=D, PCT=47, Sector=47A, St=Assigned, P=3, Current=F, Open =T, Type=10F2-INVESTIGATE/POSSIBLE CRIME: FIREARM/OUTSIDE, Open/Curent=F Unit=47RES4-2, St=DA, Comment=Event D20032106616 Dispatch Assigned EVENT COMMENT=47RES4-2 -- Event D20032106616 Dispatch Assigned
08:04:18	3/21/2020	ps2-d14	<a href="#">362384</a>	Route=D, PCT=47, Sector=47A, St=Assigned, P=3, Current=F, Open =T, Type=10F2-INVESTIGATE/POSSIBLE CRIME: FIREARM/OUTSIDE, Open/Curent=F Unit=47RES4-2, St=84, Loc=E 213 ST/HOLLAND AVE BX Unit=47RES4-2, St=DP, Loc=E 213 ST/HOLLAND AVE BX Unit=47RES4-2, St=84, Comment=DA Auto Promote, Loc=E 213 ST/HOLLAND AVE BX EVENT COMMENT=47RES4-2 -- DA Auto Promote
08:09:55	3/21/2020	ps2-d14	<a href="#">362384</a>	Unit=47ST1-2, St=UG, Comment=Secondary Unit ID updated from 47ST1-2 to 47ST1 during logoff unit [47ST1-1], Loc=E 213 ST/HOLLAND AVE BX EVENT COMMENT=47ST1-2 -- Secondary Unit ID updated from 47ST1-2 to 47ST1 during logoff unit [47ST1-1]
08:11:18	3/21/2020	ps2-d14	<a href="#">362384</a>	Route=D, PCT=47, Sector=47A, St=Assigned, P=3, Current=F, Open =T, Type=10F2-INVESTIGATE/POSSIBLE CRIME: FIREARM/OUTSIDE, Open/Curent=F Unit=47RES5-2, St=DA, Comment=Event D20032106616 Dispatch Assigned EVENT COMMENT=47RES5-2 -- Event D20032106616 Dispatch Assigned
08:11:20	3/21/2020	ps2-d14	<a href="#">362384</a>	Route=D, PCT=47, Sector=47A, St=Assigned, P=3, Current=F, Open =T, Type=10F2-INVESTIGATE/POSSIBLE CRIME: FIREARM/OUTSIDE, Open/Curent=F Unit=47RES5-2, St=84, Loc=E 213 ST/HOLLAND AVE BX Unit=47RES5-2, St=DP, Loc=E 213 ST/HOLLAND AVE BX Unit=47RES5-2, St=84, Comment=DA Auto Promote, Loc=E 213 ST/HOLLAND AVE BX EVENT COMMENT=47RES5-2 -- DA Auto Promote
08:17:55	3/21/2020	ps2-d14	<a href="#">362384</a>	Unit=47C1-2, St=84, Loc=E 213 ST/HOLLAND AVE BX
08:23:33	3/21/2020	ps1-rc02		Unit=47A2-2, St=~, Loc=E 213 ST/HOLLAND AVE BX
08:23:33	3/21/2020	ps1-apc3	<a href="#">329229</a>	Unit=47A2-2, St=~, Loc=E 213 ST/HOLLAND AVE BX
08:23:33	3/21/2020	ps2-apcrad	<a href="#">333697</a>	Unit=47A2-2, St=~, Loc=E 213 ST/HOLLAND AVE BX
08:28:35	3/21/2020	ps2-ts08	<a href="#">346449</a>	Unit=47A1-2, St=~, Loc=E 213 ST/HOLLAND AVE BX

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08:29:26	3/21/2020	ps1-d41	<a href="#">359173</a>	Unit=0ESB3-2, St=~ , Loc=E 213 ST/HOLLAND AVE BX
08:29:41	3/21/2020	ps1-d41	<a href="#">359173</a>	Unit=0ESB3-2, St=CU, Comment=Alarm Timer Extended: 30, Loc=E 213 ST/HOLLAND AVE BX EVENT COMMENT=0ESB3-2 -- Alarm Timer Extended: 30
08:33:13	3/21/2020	ps2-drp2	<a href="#">356687</a>	Unit=47ST1-2, St=~ , Loc=E 213 ST/HOLLAND AVE BX
08:34:18	3/21/2020	ps2-drp2	<a href="#">356687</a>	Unit=47RES4-2, St=~ , Loc=E 213 ST/HOLLAND AVE BX
08:40:41	3/21/2020	ps2-d14	<a href="#">362384</a>	Route=D, PCT=47, Sector=47A, St=Assigned, P=3, Current=F, Open =T, Type=10F2-INVESTIGATE/POSSIBLE CRIME: FIREARM/OUTSIDE, Open/Curent=F Unit=47C1-2, St=UC, Comment=Preempt Unit=47C1-2, St=AV EVENT COMMENT=47C1-2 -- Preempt
08:41:20	3/21/2020	ps2-acd1	<a href="#">339335</a>	Unit=47RES5-2, St=~ , Loc=E 213 ST/HOLLAND AVE BX
08:44:24	3/21/2020	ps1-d41	<a href="#">359173</a>	Unit=0ESB3-2, St=84, Loc=E 213 ST/HOLLAND AVE BX
08:47:48	3/21/2020	ps2-d14	<a href="#">362384</a>	Unit=47A2-2, St=82, Comment=1 UNDER SGT ON SCENE == SBM =D2371, Loc=E 213 ST/HOLLAND AVE BX EVENT COMMENT=47A2-2 -- 1 UNDER SGT ON SCENE == SBM =D2371
08:48:53	3/21/2020	ps1-d41	<a href="#">359173</a>	Route=SOD, PCT=0, Sector=ESB3, St=Assigned, P=3, Primary Unit=0ESB3-2, Primary Member=0, Current=F, Open =T, Type=10F2-INVESTIGATE/POSSIBLE CRIME: FIREARM/OUTSIDE, Open/Curent=F Route=SOD, PCT=0, Sector=ESB3, St=Assigned, P=3, Primary Unit=0ESB3-2, Primary Member=0, Current=T, Open =F, Type=10F2-INVESTIGATE/POSSIBLE CRIME: FIREARM/OUTSIDE, Open/Curent=F EVENT CLOSED Unit=0ESB3-2, St=AV Disposition Assigned=91
08:55:21	3/21/2020	ps2-d14	<a href="#">362384</a>	Route=D, PCT=47, Sector=47A, St=Assigned, P=3, Current=F, Open =T, Type=10F2-INVESTIGATE/POSSIBLE CRIME: FIREARM/OUTSIDE, Open/Curent=F Unit=47RES5-2, St=UC, Comment=Preempt Unit=47RES5-2, St=AV EVENT COMMENT=47RES5-2 -- Preempt
08:55:22	3/21/2020	ps2-d14	<a href="#">362384</a>	Route=D, PCT=47, Sector=47A, St=Assigned, P=3, Current=F, Open =T, Type=10F2-INVESTIGATE/POSSIBLE CRIME: FIREARM/OUTSIDE, Open/Curent=F Unit=47RES5-2, St=DA, Comment=Event D20032106616 Dispatch Assigned EVENT COMMENT=47RES5-2 -- Event D20032106616 Dispatch Assigned
08:55:25	3/21/2020	ps2-d14	<a href="#">362384</a>	Route=D, PCT=47, Sector=47A, St=Assigned, P=3, Current=F, Open =T, Type=10F2-INVESTIGATE/POSSIBLE CRIME: FIREARM/OUTSIDE, Open/Curent=F Unit=47RES5-2, St=DP, Loc=E 213 ST/HOLLAND AVE BX Unit=47RES5-2, St=84, Comment=DA Auto Promote, Loc=E 213 ST/HOLLAND AVE BX
08:55:25	3/21/2020	ps2-ts04	<a href="#">369213</a>	Unit=47RES5-2, St=~ , Loc=E 213 ST/HOLLAND AVE BX
08:55:25	3/21/2020	ps2-d14	<a href="#">362384</a>	EVENT COMMENT=47RES5-2 -- DA Auto Promote
08:55:33	3/21/2020	ps2-d14	<a href="#">362384</a>	Route=D, PCT=47, Sector=47A, St=Assigned, P=3, Current=F, Open =T, Type=10F2-INVESTIGATE/POSSIBLE CRIME: FIREARM/OUTSIDE, Open/Curent=F Route=D, PCT=47, Sector=47A, St=Assigned, P=3, Current=F, Open =T, Type=10F2-INVESTIGATE/POSSIBLE CRIME: FIREARM/OUTSIDE, Open/Curent=F Unit=47RES5-2, St=UC, Comment=Preempt Unit=47RES5-2, St=AV Unit=47RES5-2, St=DA, Comment=Event D20032106616 Dispatch Assigned EVENT COMMENT=47RES5-2 -- Preempt

47RES5-2 -- Event D20032106616 Dispatch Assigned

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08:55:37	3/21/2020	ps2-d14	<a href="#">362384</a>	Unit=47RES5-2, St=UC, Comment=Preempt, Loc=857 E 241 ST BX  EVENT COMMENT=47RES5-2 -- Preempt
09:01:19	3/21/2020	ps2-d14	<a href="#">362384</a>	Unit=47RES4-2, St=CU, Comment=Alarm Timer Extended: 30, Loc=E 213 ST/HOLLAND AVE BX  EVENT COMMENT=47RES4-2 -- Alarm Timer Extended: 30
09:04:21	3/21/2020	ps2-d14	<a href="#">362384</a>	Unit=47A1-2, St=CU, Comment=Alarm Timer Extended: 30, Loc=E 213 ST/HOLLAND AVE BX  EVENT COMMENT=47A1-2 -- Alarm Timer Extended: 30
09:05:19	3/21/2020	ps2-d14	<a href="#">362384</a>	Route=D, PCT=47, Sector=47A, St=Assigned, P=3, Current=F, Open =T, Type=10F2-INVESTIGATE/POSSIBLE CRIME: FIREARM/OUTSIDE, Open/Curent=F Unit=47ST1-2, St=UC, Comment=Preempt Unit=47ST1-2, St=AV EVENT COMMENT=47ST1-2 -- Preempt
09:09:40	3/21/2020	ps2-d14	<a href="#">362384</a>	Route=D, PCT=47, Sector=47A, St=Assigned, P=3, Current=F, Open =T, Type=10F2-INVESTIGATE/POSSIBLE CRIME: FIREARM/OUTSIDE, Open/Curent=F Route=D, PCT=47, Sector=47A, St=Assigned, P=3, Current=F, Open =T, Type=10F2-INVESTIGATE/POSSIBLE CRIME: FIREARM/OUTSIDE, Open/Curent=F Unit=47RES4-2, St=UC, Comment=Preempt Unit=47RES4-2, St=AV Unit=47RES4-2, St=DA, Comment=Event D20032106616 Dispatch Assigned EVENT COMMENT=47RES4-2 -- Preempt 47RES4-2 -- Event D20032106616 Dispatch Assigned
09:09:45	3/21/2020	ps2-d14	<a href="#">362384</a>	Unit=47RES4-2, St=UC, Comment=Preempt, Loc=743 E 243 ST BX: FLR 1  EVENT COMMENT=47RES4-2 -- Preempt
09:17:48	3/21/2020	ps2-apcrad	<a href="#">333697</a>	Unit=47A2-2, St=~, Loc=E 213 ST/HOLLAND AVE BX
09:20:53	3/21/2020	ps2-d14	<a href="#">362384</a>	Unit=47A2-2, St=CU, Comment=Alarm Timer Extended: 30, Loc=E 213 ST/HOLLAND AVE BX  EVENT COMMENT=47A2-2 -- Alarm Timer Extended: 30
09:33:35	3/21/2020	ps2-sfs1	<a href="#">343370</a>	Unit=47A1-2, St=~, Loc=E 213 ST/HOLLAND AVE BX
09:35:51	3/21/2020	ps2-d14	<a href="#">366311</a>	Route=D, PCT=47, Sector=47A, St=Assigned, P=3, Primary Unit=47A2-2, Primary Member=0, Current=F, Open =T, Type=10F2-INVESTIGATE/POSSIBLE CRIME: FIREARM/OUTSIDE, Open/Curent=F Unit=47A1-2, St=UC, Comment=Preempt Unit=47A1-2, St=AV EVENT COMMENT=47A1-2 -- Preempt
09:50:48	3/21/2020	ps2-apc5	<a href="#">339989</a>	Unit=47A2-2, St=~, Loc=E 213 ST/HOLLAND AVE BX
09:50:53	3/21/2020	ps2-d14	<a href="#">366311</a>	Unit=47A2-2, St=CU, Comment=Alarm Timer Extended: 30, Loc=E 213 ST/HOLLAND AVE BX  EVENT COMMENT=47A2-2 -- Alarm Timer Extended: 30
10:20:48	3/21/2020	ps2-ts08	<a href="#">346449</a>	Unit=47A2-2, St=~, Loc=E 213 ST/HOLLAND AVE BX
10:21:23	3/21/2020	ps2-d14	<a href="#">366311</a>	Unit=47A2-2, St=CU, Comment=Alarm Timer Extended: 30, Loc=E 213 ST/HOLLAND AVE BX  EVENT COMMENT=47A2-2 -- Alarm Timer Extended: 30
10:50:48	3/21/2020	ps1-ped5	<a href="#">351856</a>	Unit=47A2-2, St=~, Loc=E 213 ST/HOLLAND AVE BX
10:51:05	3/21/2020	ps2-d14	<a href="#">368117</a>	Unit=47A2-2, St=CU, Comment=Alarm Timer Extended: 30, Loc=E 213 ST/HOLLAND AVE BX  EVENT COMMENT=47A2-2 -- Alarm Timer Extended: 30
11:20:48	3/21/2020	ps2-drp2	<a href="#">356687</a>	Unit=47A2-2, St=~, Loc=E 213 ST/HOLLAND AVE BX

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11:21:03	3/21/2020	ps2-d14	<a href="#">368117</a>	Unit=47A2-2, St=CU, Comment=Alarm Timer Extended: 30, Loc=E 213 ST/HOLLAND AVE BX EVENT COMMENT=47A2-2 -- Alarm Timer Extended: 30
11:50:48	3/21/2020	ps2-ts03	<a href="#">339416</a>	Unit=47A2-2, St=~, Loc=E 213 ST/HOLLAND AVE BX
11:50:48	3/21/2020	ps2-ts02		Unit=47A2-2, St=~, Loc=E 213 ST/HOLLAND AVE BX
11:51:05	3/21/2020	ps2-d14	<a href="#">368117</a>	Unit=47A2-2, St=CU, Comment=Alarm Timer Extended: 30, Loc=E 213 ST/HOLLAND AVE BX EVENT COMMENT=47A2-2 -- Alarm Timer Extended: 30
12:20:48	3/21/2020	ps2-drp1	<a href="#">364108</a>	Unit=47A2-2, St=~, Loc=E 213 ST/HOLLAND AVE BX
12:24:56	3/21/2020	ps2-d14	<a href="#">368117</a>	Unit=47A2-2, St=CU, Comment=Alarm Timer Extended: 30, Loc=E 213 ST/HOLLAND AVE BX EVENT COMMENT=47A2-2 -- Alarm Timer Extended: 30
12:54:48	3/21/2020	ps2-d14	<a href="#">362384</a>	Unit=47A2-2, St=~, Loc=E 213 ST/HOLLAND AVE BX
13:56:19	3/21/2020	ps2-d14	<a href="#">362384</a>	Unit=47A2-2, St=CU, Comment=Alarm Timer Extended: 30, Loc=E 213 ST/HOLLAND AVE BX EVENT COMMENT=47A2-2 -- Alarm Timer Extended: 30
14:25:48	3/21/2020	ps2-ts04		Unit=47A2-2, St=~, Loc=E 213 ST/HOLLAND AVE BX
14:31:08	3/21/2020	ps2-d14	<a href="#">366311</a>	Unit=47A2-2, St=CU, Comment=Alarm Timer Extended: 30, Loc=E 213 ST/HOLLAND AVE BX EVENT COMMENT=47A2-2 -- Alarm Timer Extended: 30
15:00:48	3/21/2020	ps2-ts02	<a href="#">347547</a>	Unit=47A2-2, St=~, Loc=E 213 ST/HOLLAND AVE BX
15:20:57	3/21/2020	ps2-d14	<a href="#">366311</a>	Unit=47A2-2, St=CU, Comment=Alarm Timer Extended: 30, Loc=E 213 ST/HOLLAND AVE BX EVENT COMMENT=47A2-2 -- Alarm Timer Extended: 30
15:29:56	3/21/2020	ps2-d14	<a href="#">366311</a>	Unit=47A2-2, St=UG, Comment=Secondary Unit ID updated from 47A2 to 47A2-2 during logon unit [47A2-3], Loc=E 213 ST/HOLLAND AVE BX EVENT COMMENT=47A2-2 -- Secondary Unit ID updated from 47A2 to 47A2-2 during logon unit [47A2-3]
15:50:23	3/21/2020	ps2-d14	<a href="#">366311</a>	Route=D, PCT=47, Sector=47A, St=Assigned, P=3, Primary Unit=47A2-2, Primary Member=0, Current=F, Open =T, Type=10F2-INVESTIGATE/POSSIBLE CRIME: FIREARM/OUTSIDE, Open/Curent=F Route=D, PCT=47, Sector=47A, St=Assigned, P=3, Primary Unit=47A2-2, Primary Member=0, Current=T, Open =F, Type=10F2-INVESTIGATE/POSSIBLE CRIME: FIREARM/OUTSIDE, Open/Curent=F EVENT CLOSED Unit=47A2-2, St=AV Disposition Assigned=92C

USAO\_000324



# **Exhibit 2**

**(on disc)**

# **Exhibit 2-T**

1 UNITED STATES DISTRICT COURT  
2 SOUTHERN DISTRICT OF NEW YORK

3 -----X  
4 UNITED STATES OF AMERICA :  
5 v. :  
6 :  
7 DOMINICK LEWIS, :  
8 Defendant. :  
9 -----X

10 RECORDED 911 CALL

11 Call Date: March 21, 2020  
12 Call Start: 7:45:28 AM  
13 Call Duration: 3 minutes 1 second  
14 Dialed Number:  
15 Participants: Dispatcher [D]  
16 Caller-2 [C2]

17 Abbreviations: [UI] Unintelligible  
18 [PH] Phonetic Spelling  
19 [VO] Voices Overlap  
20 [IA] Inaudible  
21  
22  
23  
24  
25

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2 D: New York City 911. Do you need police, fire, or  
3 medical?

4 C2: Uh- police please.

5 D: What's the location?

6 C2: East 213th Street and Holland Avenue.

7 D: You said East 213 Street and Holland Avenue?

8 C2: Yes, on 213th, yes.

9 D: And this is in the Bronx, correct?

10 C2: Yes, it is.

11 D: And what's the emergency?

12 C2: There's a guy outside at the corner with a gun in  
13 his hand and he has on a blue shirt with orange  
14 [VO]

15 D: Hold on, hold on. [Silence] Which hand is it?

16 C2: Uh, he has the gun in his left hand. He has on a  
17 long sleeve blue shirt [VO]

18 D: Help is on the way. I have a few more questions.  
19 Is he Black, White, Hispanic, or Asian?

20 C2: Uh, can I tell you what he has on?

21 D: Hold on, I just wanna know his race. Is he Black,  
22 White, Hispanic, or Asian?

23 C2: He's a Black male, light-

24 D: Okay.

25 C2: -light complexion.

1 D: Mhm.

2 C2: About 6'1, about 6, 6'1.

3 D: Mhm.

4 C2: Skinny.

5 D: Okay and what is he wearing?

6 C2: He has on a long sleeve blue shirt with orange  
7 writing that says "Love Moschino" on it-

8 D: Mhm.

9 C2: And he has on blue jeans and his sneakers is  
10 orange and black. His hair is low cut with a [UI]

11 D: Hold on ma'am, you're just talking so quiet.  
12 [Pause] You said the um- the blue shirt has "Love  
13 Moschino" in orange?

14 C2: Yes.

15 D: Okay, blue- blue pants? And what color sneakers?

16 C2: Yes. Um- it's- it's orange and black.

17 D: Okay, and he's just standing there?

18 C2: Yeah, he's walking up the block now.

19 D: Which way is he walking?

20 C2: He's walking toward 214th Street.

21 D: And Holland?

22 C2: Yeah.

23 D: Anyone injured?

24 C2: No.

25 D: Okay.

1 C2: You hear him?

2 D: No. What is he- what is he doing?

3 C2: Well, he's saying something about "okay, pussy" I

4 don't know who he's arguing with, but he's

5 walking back and forth.

6 D: You don't see anyone else there?

7 C2: No, there's nobody outside.

8 D: Okay.

9 [Silence]

10 D: And he's still walking or he's just standing

11 there?

12 C2: [IA]

13 D: You saw what?

14 C2: He- he now went to the corner store on 214th.

15 D: Okay. Corner store-

16 C2: And Holland. [Pause] He's just walking around,

17 that's what he has on.

18 D: Oh okay thanks. And what's your last name, ma'am?

19 C2: I'm not going to give you my name, sorry.

20 D: You wanna leave your phone number?

21 C2: No.

22 D: Okay. Assistance will be there as soon as

23 possible. I'm operator 1479.

24 C2: Thank you.

25 D: You're welcome.

1 C2: Bye-bye.

2 [End of call]

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# **Exhibit 3**

**(on disc)**



# **Exhibit 3-T**

1 UNITED STATES DISTRICT COURT  
2 SOUTHERN DISTRICT OF NEW YORK

3 -----X  
4 UNITED STATES OF AMERICA :  
5 v. :  
6 :  
7 DOMINICK LEWIS, :  
8 Defendant. :  
9 -----X

10 RECORDED 911 CALL

11 Call Date: March 21, 2020  
12 Call Start: 7:53:01 AM  
13 Call Duration: 1 minute 36 seconds  
14 Dialed Number:  
15 Participants: Dispatcher [D]  
16 Caller-3 [C3]

17 Abbreviations: [UI] Unintelligible  
18 [PH] Phonetic Spelling  
19 [VO] Voices Overlap  
20 [IA] Inaudible  
21  
22  
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24  
25

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2 D: New York City 911. Do you need police, fire, or  
3 medical?

4 C3: Hello?

5 D: New York City 911. Do you need police, fire, or  
6 medical?

7 C3: Police.

8 D: What's the location?

9 C3: 213th Street and Holland Avenue in the Bronx.

10 D: So that's 213 Street and Holland Avenue?

11 C3: Correct.

12 D: What's the emergency?

13 C3: Excuse me?

14 D: What is the emergency, sir?

15 C3: There's a man ranting and raving and I believe he  
16 has a gun.

17 D: Did you see it?

18 C3: He's on the sidewalk.

19 D: Did you see it?

20 C3: Yes.

21 D: You saw the gun in his hand?

22 C3: Yes. [Pause] That's why I'm calling.

23 D: Is anyone injured sir?

24 C3: No.

25 D: Is it a male Black, White, Asian, Indian or

1 Hispanic?

2 C3: Uh- Black. About 5'11. Blue shirt with orange  
3 writing and sneakers. Slender build and he's  
4 ranting and raving so you know [VO]

5 D: You said he's wearing a blue shirt with orange  
6 sneakers?

7 C3: No- yes. Blue- orange sneakers, blue shirt with  
8 orange writing on the sleeves.

9 D: And what color pants?

10 C3: I don't know, dark pants. I just left as soon as  
11 I saw him.

12 D: And you said he's yelling?

13 C3: Yes. [Pause] Yep. Maybe somebody called.

14 D: Is he on the corner?

15 C3: He was- he was on the corner a minute ago, yeah.

16 D: What's your last name?

17 C3: I'm not giving my name, I gotta go.

18 D: What's the telephone number you're calling from?

19 [End of call]

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# **Exhibit 4**

**(on disc)**

# **Exhibit 4-T**

1 UNITED STATES DISTRICT COURT  
2 SOUTHERN DISTRICT OF NEW YORK

3 -----X  
4 UNITED STATES OF AMERICA :  
5 v. :  
6 :  
7 DOMINICK LEWIS, :  
8 Defendant. :  
9 -----X

10 RECORDED 911 CALL

11 Call Date: March 21, 2020  
12 Call Start: 7:57:44 AM  
13 Call Duration: 3 minutes 29 seconds  
14 Dialed Number:  
15 Participants: Dispatcher [D]  
16 Caller-4 [C4]

17 Abbreviations: [UI] Unintelligible  
18 [PH] Phonetic Spelling  
19 [VO] Voices Overlap  
20 [IA] Inaudible  
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2 D: New York City 911. Do you need the police, fire,  
3 or medical?

4 C4: Um, it's the police.

5 D: What's the location?

6 C4: Um- I was- I was just walking on my block, I live  
7 on 212 and I saw the police with the guy right  
8 now. I was just- came out my car- when I came to  
9 my car I see the guy. He pull out a gun and he-  
10 he didn't point the gun at me, but I thought he  
11 was gonna shoot me cause he was like-

12 D: Ok so- sir, would you like to meet with the  
13 police to make a police report?

14 C4: No, I don't want to meet with them. The police  
15 they- they have the guy right now, but I don't  
16 know if they're gonna search him. The guy has a  
17 gun with him.

18 D: I understand that sir, but you're calling in, so  
19 where's the guy at right now that you seen with a  
20 firearm?

21 C4: They're on um- the police is with him right now.  
22 They're on 213 right now.

23 D: 213th Street and what?

24 C4: I live on- I live on 212 and Holland. I don't  
25 know if they're gonna search him, but if they



1 search the guy-

2 D: I understand that sir, but I need to know where  
3 they're at- where's this guy? What street?

4 C4: Okay.

5 D: You said 213 Street and what other avenue are  
6 they in between?

7 C4: Between 213 and Holland.

8 D: Holland?

9 C4: Yes, there's like four police cars with him right  
10 now. I don't know if they're gonna search him-  
11 [VO]

12 D: So, it's four policemen with him right now?

13 C4: Yes, there are some police cars there with him  
14 right now.

15 D: Okay, give me one- give me one second sir. East  
16 213 Street and Holland Avenue on the Bronx. And  
17 you said it's police officers with him right now?

18 C4: Yeah.

19 D: Is he Black, White, Hispanic, Asian, or Indian?

20 C4: He's a Black guy, he has tattoos on his neck-

21 D: Alright, give me [VO] sir- sir, hold on one  
22 second.

23 [Silence]

24 D: Okay, help is on the way. I have a few more  
25 questions. You say he's a male with a firearm-

1 C4: Yes.

2 D: Was anyone injured at the time? Yes or no?

3 C4: No. He just point the gun and I just drive my car  
4 away

5 D: He pointed it towards you?

6 C4: He- I- He was holding it toward me like- I- I  
7 thought he was gonna shoot me cause he put it out  
8 [VO]

9 D: And you don't know this guy?

10 C4: No, I don't know him from nowhere. He's wearing a  
11 blue long sleeve shirt. He's wearing a black  
12 jean-

13 D: Give me one- give me one second. So he's a male-  
14 you said he's a male Black, correct?

15 C4: Yes.

16 D: And what is he wearing?

17 C4: He has tattoos on his neck. He's wearing a blue  
18 long sleeve shirt and a black jean. He has  
19 tattoos on his neck- [VO]

20 D: Blue long- hold on, blue long sleeve shirt?

21 C4: Yes.

22 D: What color jean?

23 C4: And a black jean [VO] Black jean.

24 D: Black jeans?

25 C4: Yes.

1 D: And you say he had tattoos on his neck?

2 C4: Yes. [Pause] The police is there with him right  
3 now, but they talking to him, I don't know if  
4 they're gonna search him. He has a gun.

5 [Silence]

6 D: What color was the firearm?

7 C4: It was a black firearm.

8 D: What hand did he point it to you in? Or do you  
9 know where he-

10 C4: He didn't actually- well he- he pulled it out and  
11 I- I really thought he was gonna shoot me cause  
12 he was behind the car and he's like coming up on  
13 me and then I just took off in my car.

14 D: Okay, about how old did he look?

15 C4: He looked like he's in his twenties, like, twenty  
16 one, twenty two. And he's tall.

17 D: Slim, medium, or heavy set?

18 C4: Huh?

19 D: Slim, medium, or heavy set?

20 C4: Um, I would say between medium and heavy set.

21 D: And you said he was about six feet?

22 C4: Yeah.

23 D: What's your last name?

24 C4: Uh- I don't wanna give my name.

25 D: You wanna remain anonymous? Okay, sir-

1 C4: Yes.

2 D: -[UI] will be there as soon as possible. I'm  
3 operator 1165.

4 C4: Yeah, and he also- he also had a pack of  
5 cigarettes in his back pocket too.

6 D: Okay, no problem sir.

7 C4: Okay.

8 D: Thank you.

9 C4: Alright.

10 [End of call]

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# **Exhibit 5**

**(on disc)**

# **Exhibit 6**

**(on disc)**

# **Exhibit 7**

**(on disc)**

# **Exhibit 8**

**(on disc)**



# **Exhibit 9**

# **(under seal)**

# **Exhibit 10**

**(under seal)**

**(on disc)**

# **Exhibit 11**

**(on disc)**